ILO standards and national legal framework on child labour: How they relate to the education debate

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International Principles and Rights

UN Convention on the Rights of the Child

Provides that children be protected from economic exploitation and work that threatens their health education and development.

ILO Declaration on Fundamental Principles and Rights at Work

Declares the effective abolition of child labour as a social pillar of the global economy.

ILO Minimum Age Convention, No. 138
ILO Worst Forms of Child Labour Convention, No. 182
Constitution No. 138

ILO Minimum Age Convention No. 138

Requires a national policy for the effective abolition of child labour (Art. 1)

Requires a specification of minimum age \( \geq \) end of compulsory education (Art. 2)

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<th>Exceptions for developing countries</th>
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<td>Basic Minimum Age (Art. 2)</td>
<td>( \text{not below the end of compulsory schooling; at least 15 years} )</td>
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C138: Basic Minimum Age and Education

Minimum working age:
Not lower than the age for completion of compulsory schooling
+ at least 15 years of age

Initially exceptional minimum age of 14 in countries whose economy and educational facilities are not fully developed

After consultation with social partners
C138: Light work and Education

Art. 7, (para. 1)

From 13 years of age when work is not likely to interfere with schooling nor to harm their health or development

Art. 7, (para. 4)

From 12 years of age, under the same conditions, when economy and educational facilities of a country are insufficiently developed
Policy recommendations (R146)

• The development and progressive extension of education and vocational training appropriate to the needs of the children (Para 2(d))
• Requiring full-time schooling or vocational training programmes and effectively ensuring them up to the minimum working age (Para 4)
• Special attention in enforcement, to the prevention of the employment or work of children during the hours when instruction is available. (Para 15(b))
What is child labour to be abolished?

| Children between the minimum age and 18 | | | |
| Children between 12/13 and the minimum age | | | |
| Children below 12/13 years of age | Work excluded from minimum age legislation | Light work | Non-hazardous, non-light work | Hazardous work (and also other worst forms of child labour) |

Shaded area = child labour for abolition
C182 in relation with C138

C182 complements C138:

Convention No. 138 aims at all forms of child labour

Convention No. 182 aims at the worst forms of child labour as a matter of priority
C 182: coverage

- All sectors of economic activity
- Girls and boys under 18 years
- Special attention for most vulnerable like very young and girls
- Worst forms of child labour as priority target groups
- Children in hazardous work
- Children in illicit activities
- Children in prostitution and pornography
- Children in debt bondage or trafficking
- Children in slavery, forced or compulsory labour
- Including forced recruitment for use in armed conflict
- Special attention for most vulnerable like very young and girls
- Worst forms of child labour as priority target groups
- Children in hazardous work
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- Children in slavery, forced or compulsory labour
- Including forced recruitment for use in armed conflict
C182: Obligations (summary)

To take immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency (Art. 1)

- Determine and map hazardous work
- Establish monitoring mechanisms
- Design/implement programmes of action
- Ratifying member States must apply the Convention
- Develop time bound measures
- Enhance international assistance/cooperation
C182 and R190: Obligations and Recommendations

**C.182 Art. 6**
Design and implement programmes of action

**Recommended elements**
(Recommendation No. 190, para. 2)

- Identifying and denouncing the worst forms of child labour
- Prevention, protection and rehabilitation
- Special attention to younger children, girls and other highly vulnerable
- Special attention to high-risk communities
- Sensitization of public, children and their families
- Social mobilization
- In consultation with social partners
- Consider views of «other concerned groups as appropriate», e.g. NGOs and parents’ organizations
C182: Obligations

Art. 7 (para. 2)

**Develop effective and time-bound measures**

- PREVENT children from engaging in worst forms of child labour
- Provide direct ASSISTANCE for removal, rehabilitation and social re-integration
- Ensure access to free basic EDUCATION and, if possible, vocational training
- Identify and reach out to children at SPECIAL RISK, e.g. domestic work under abusive circumstances
- Take account of the special situation of GIRLS
ILO Regular supervisory machinery

Government reports
Employers’ and workers’ comments

Committee of Experts on the Application of Conventions and Recommendations

Direct requests sent to governments
Observations published in report III (4A)

Tripartite Conference Committee
[Governments, employers, workers]
of the International Labour Conference
Child labour and Poverty

Poverty causes child labour and child labour causes poverty !!

To break the cycle !!

EDUCATION
What is the Time-Bound Programme?

Clear goals – specific targets – defined time frame

Definition:
A set of integrated & coordinated policies & programmes to prevent & eliminate a country’s worst forms of child labour within a defined period of time.

- Operates at many levels: international, national, provincial, community, individual/family.
- Addresses root causes of WFCL.
- Links to national development effort.
- Emphasis on “country ownership”.
For more information please contact

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